

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

APR 30 2007

LAWRENCE K. BAERMAN, CLERK
ALBANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

KEVIN GREEN,

Defendant.

I N D I C T M E N T

Criminal No. 07-CR- 205 FJS

[VIOS: 18 U.S.C. §§ 2252A(a)(5)(B) &
(b)(2); 2256(8)(A)]

[1 Count]
[1 Allegation]

COUNT 1

THE GRAND JURY CHARGES:

On or about April 10, 2007, at or near the Town of Colonie, New York, in the State and Northern District of New York, **KEVIN GREEN**, the defendant herein, did knowingly and willfully possess images of child pornography and materials that contain images of child pornography that have been mailed, shipped and transported in interstate and foreign commerce, and which were produced using materials which have been so mailed, shipped and transported, in that, he knowingly possessed computer disks containing visual depictions of actual identifiable minors engaged in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256 (2) & (8)(A).

All in violation of Title 18, United States Code, Sections

2252A(a)(5)(B) and 2256 (8)(A).

ALLEGATION

THE GRAND JURY FURTHER CHARGES:

1. That Count 1 of this Indictment is realleged and incorporated herein by reference as if fully set forth in this allegation.

2. That on or about November 7, 2003, the defendant **KEVIN GREEN**, was convicted of the felony offense of receiving child pornography, in violation 18 U.S.C. § 2252A(a)(2)(A). This conviction took place in the United States District Court in the Eastern District of New York.

By virtue of said prior conviction, the defendant is subject to the enhanced penalty provision contained within 18 U.S.C. § 2252A(b)(2).

Dated: April 27, 2007

GLENN T. SUDDABY
UNITED STATES ATTORNEY

BY: Thomas Spina
THOMAS SPINA, JR.
ASSISTANT U.S. ATTORNEY
BAR ROLL NO.: 102653

A TRUE BILL
Carl A. Hall
FOREPERSON